UNITED NATIONS DEVELOPMENT PROGRAMME Office of Audit and Investigations



AUDIT

OF

UNDP SOUTH SUDAN

INVESTING TOWARDS IMPACT OF HIV AND AIDS IN SOUTH SUDAN (Directly Implemented Project No. 91065, Output No. 96503)

Report No. 1726

Issue Date: 23 September 2016



Report on the Audit of UNDP South Sudan Investing Towards Impact of HIV and AIDS in South Sudan (Project No. 91065, Output No. 96503) Executive Summary

The UNDP Office of Audit and Investigations (OAI), through Moore Stephens LLP (the audit firm), from 6 to 24 June 2015, conducted an audit of "Investing towards impact of HIV and AIDS in South Sudan" (Project No. 91065, Output No. 96503) (the Project), which is directly implemented and managed by the UNDP Country Office in South Sudan (the Office) as the Principal Recipient, since the Project was funded by the Global Fund to Fight AIDS, Tuberculosis and Malaria. This was the first audit of the Project.

The audit firm conducted a financial audit to express an opinion on whether the financial statements present fairly, in all material aspects, the Project's operations. The audit covered the Project's Combined Delivery Report, which includes expenditure for the period from 1 October to 31 December 2015 and the accompanying Funds Utilization statement. The audit did not include activities and expenses incurred or undertaken at the "responsible party" level, or expenses processed and approved in locations outside of the country (such as UNDP Regional Centres and UNDP Headquarters). The audit did not cover the Statement of Assets as no assets were purchased by the Project. In addition, the audit did not cover the Statement of Cash Position as no separate bank account was established and maintained for the Project.

The audit was conducted under the general supervision of OAI in conformance with the *International Standards* for the Professional Practice of Internal Auditing.

Audit results

Based on the audit report and corresponding management letter submitted by the audit firm, the results are summarized in the table below:

Project Expenditure*			
Amount	Opinion		
(in \$ '000)			
476	Unqualified		

^{*}Expenditures recorded in the Combined Delivery Report were \$524,764. Excluded from the audit scope were transactions that relate to expenditures processed and approved by other UNDP offices outside of the country (\$48,665).

Key recommendation: Total = 1, high priority = 0

The audit did not result in any high (critical) priority recommendations. There is one medium (important) priority recommendation, which means, "Action is required to ensure that UNDP is not exposed to risks that are considered moderate. Failure to take action could contribute to negative consequences for UNDP." This recommendation includes actions to address the non-remittance of Personal Income Tax deducted from health worker salaries. The issue did not have any impact on the audit opinion rendered. The recommendation aims to ensure compliance with legislative mandates, regulations and rules, policies and procedures.

¹ The Funds Utilization statement includes the balance, as at a given date, of five items: (a) outstanding advances received by the project; (b) depreciated fixed assets used at the project level; (c) inventory held at the project level; (d) prepayments made by the project; and (e) outstanding commitments held at the project level.

United Nations Development Programme Office of Audit and Investigations



Management comments and action plan

The Resident Representative accepted the recommendation and is in the process of implementing it. Comments and/or additional information provided have been incorporated into the report, where appropriate.

Helge S. Osttveiten Director

Office of Audit and Investigations



UNITED NATIONS DEVELOPMENT PROGRAMME

(UNDP)

DRAFT AUDIT REPORT

31 AUGUST 2016

FINANCIAL AUDIT OF THE UNDP DIRECTLY IMPLEMENTED (DIM) PROJECT

DIM PROJECT

Project name: Investing Towards Impact of HIV and AIDS in

South Sudan

UNDP Country Office: South Sudan

Atlas Project ID: 00091065

Atlas Output number: 00096503

Auditor: Moore Stephens LLP

Period subject to audit: 1 October to 31 December 2015

Table of Contents

EXECUTIVE	SUMMARY	3
THE AUDIT	ENGAGEMENT	4
AUDIT OPIN	IIONS	5
STATEMEN	IT OF EXPENDITURE IT OF ASSETS AND EQUIPMENT IT OF CASH POSITION	6
MANAGEME	ENT LETTER	8
_		
ANNEX 2: ANNEX 3:	COMBINED DELIVERY REPORTSTATEMENT OF ASSETS AND EQUIPMENTSTATEMENT OF CASH POSITIONAUDIT FINDING PRIORITY RATINGS	14 15

Table of acronyms and abbreviations

CDIMDR	Combined Delivery Report
DIM	Direct Implementation Modality
OAI	Office of Audit and Investigations
UNDP	United Nations Development Programme
US\$	United States Dollars

EXECUTIVE SUMMARY

Moore Stephens LLP conducted the financial audit of Investing Towards Impact of HIV and AIDS in South Sudan (Project ID 00091065 and Output 00096503), directly implemented by UNDP South Sudan for the period from 1 October to 31 December 2015. The audit was undertaken on behalf of UNDP, Office of Audit and Investigations (OAI).

We have issued audit opinions as summarised in the table below and as detailed in the next section:

Statement of ExpenditureUnqualifiedStatement of Fixed AssetsNot applicableStatement of Cash PositionNot applicable

As a result of our audit, we have raised one audit finding with a net financial impact totalling US\$ Nil as summarised below:

No.	Description	Priority	Net financial impact US\$
1	Non remittance of Personal Income Tax (PIT) deducted from Health Workers	Medium	-
	Total	US\$	-

1 . W. 8

Ian Murphy Partner

Moore Stephens LLP 150 Aldersgate Street London EC1A 4AB

THE AUDIT ENGAGEMENT

Audit Objectives and Scope

The objective of the financial audit was to express an opinion on the DIM project's financial statements which include:

- Expressing an opinion on whether the financial expenses incurred by the project between 1 October and 31 December 2015 and the funds utilization as at 31 December 2015 are fairly presented in accordance with UNDP accounting policies and that the expenses incurred were: (i) in conformity with the approved project budgets; (ii) for the approved purposes of the project; (iii) in compliance with the relevant regulations and rules, policies and procedures of UNDP; and (iv) supported by properly approved vouchers and other supporting documents.
- Expressing an opinion on whether the statement of fixed assets presents fairly the balance of
 assets of the UNDP project, at cost value, as at 31 December 2015. This statement must include
 all assets available as at 31 December 2015 and not only those purchased in a given period. Where
 a DIM project does not have any assets or equipment, it will not be necessary to express such an
 opinion.
- Expressing an opinion on whether the statement of cash held by the project presents fairly the cash and bank balance of UNDP project as at 31 December 2015.

The scope of the audit relates only to transactions concluded and recorded against the UNDP DIM project between 1 October and 31 December 2015. The scope of the audit did not include:

- Activities and expenses incurred or undertaken at the level of "responsible parties", unless the
 inclusion of these expenses is specifically required in the request for proposal; and
- Expenses processed and approved in locations outside the country such as UNDP Regional Centres and UNDP Headquarters and where the supporting documentation is not retained at the level of the UNDP country office.

Profile of Global Fund Grants

Grant No.	Output No.	Description	Start Date	End Date	Budget (in US\$)	Funds Received as at 31 Dec 2015 (in US\$)	Implementation Rate	Audited Expenditures as of 31 Dec 2015 (in US\$)	Global Fund Rating at 31 Dec 2015
SSD-H- UNDP	00096503	Investing Towards Impact of HIV and AIDS in South Sudan	01-Oct-15	31-Dec-17	40,705,633.00	14,536,437.00	1.29%	476,099.17	NA

AUDIT OPINIONS

Independent Auditor's Report to UNDP - Investing Towards Impact of HIV and AIDS in South Sudan

Statement of Expenditure

Unqualified Opinion

We have audited the accompanying Combined Delivery Report (CDR) and Funds Utilization statement totalling US\$ 524,764.24 ("the statement") of the UNDP project 00091065 Investing Towards Impact of HIV and AIDS in South Sudan' for the period from 1 October to 31 December 2015. CDR expenditure totalling US\$ 48,665.07, comprised of expenditure not processed or approved by UNDP Country Office South Sudan, was not within the scope of our audit.

Management is responsible for the preparation of the statement for the 'Investing Towards Impact of HIV and AIDS in South Sudan' and for such internal control as management determines is necessary to enable the preparation of a statement that is free from material misstatement, whether due to fraud or error.

Our responsibility is to express an opinion on the statement based on our audit. We conducted our audit in accordance with International Standards on Auditing. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the statement is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the statement. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the statement, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the project's preparation of the statement in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the project's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the presentation of the statement.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Unqualified Opinion

In our opinion, the attached Combined Delivery Report (CDR) and Funds Utilization statement presents fairly, in all material respects, the expenses of US\$ 476,099.17 incurred by the project 'Investing Towards Impact of HIV and AIDS in South Sudan' for the period 1 October to 31 December 2015 in accordance with UNDP accounting policies and were (i) in conformity with the approved budget; (ii) for the approved purposes of the project; (iii) in compliance with the relevant regulations and rules, policies and procedures of UNDP; and (iv) supported by properly approved vouchers and other supporting documents.

Ian Murphy (Partner)

Moore Stephens LLP 150 Aldersgate Street London EC1A 4AB

Independent Auditor's Report to UNDP - Investing Towards Impact of HIV and AIDS in South Sudan

Statement of Assets and Equipment

We noted that the UNDP project 'Investing Towards Impact of HIV and AIDS in South Sudan' had no assets or equipment and accordingly a Statement of Fixed Assets was not produced.

Ian Murphy Partner

Moore Stephens LLP 150 Aldersgate Street London EC1A 4AB

Independent Auditor's Report to UNDP - Investing Towards Impact of HIV and AIDS in South Sudan

Statement of Cash Position

We noted that the UNDP project 'Investing Towards Impact of HIV and AIDS in South Sudan' did not have a dedicated bank account for Direct Implementation project activities subject to audit and accordingly a Statement of Cash Position was not produced.

lan Murphy Partner

Moore Stephens LLP 150 Aldersgate Street London EC1A 4AB

MANAGEMENT LETTER

The findings related to the audit of the financial statements are discussed in our management letter below:

Finding n°: 1	Title: Non remittance of Personal Income Tax (PIT) deducted from Health Workers
---------------	---

Observation:

UNDP, as a subsidiary organ of the United Nations, is exempt from direct taxes such as income tax, and is entitled to reimbursement of indirect taxes, such as sales tax and Value Added Tax, on purchases. This is derived from the Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly in 1946 (General Convention), Sections 7 and 8, respectively.

Personal Income Tax is tax deductible from the employees' salaries at source by the employer and remitted to the Ministry of Finance, Directorate of Taxation. However, we noted that salaries paid to the health workers employed by a government Ministry in the various health facilities working on the project were paid net of Personal Income Tax (PIT) by UNDP. In other words, UNDP assumed the responsibility of a tax collector on behalf of the government. The PIT deducted by UNDP from project employee salaries in the period under review had not been remitted to the Ministry of Finance, Directorate of Taxation as at the date of the fieldwork.

These amounts could attract penalties and interest and result in financial loss on the part of the project.

Reference.	Date	Description	Amount Paid (USD)	PIT Amount(USD)
52846	16-Nov-15	Payment for CARITAS July- Sept 2015 Salaries	11,120.00	280.00
53456	19-Nov-15	Payment for MOH HIV DEPT Oct-Nov 2015 salaries	14,820.65	898.39
54152	10-Dec-15	Payment for HIV DEPT Dec 2015 salaries	22,923.55	2,776.45
		Total US\$	48,864.20	3,954.84

Management commented that UNDP is non-tax paying agent under international treaty as well as protocol signed with Government of South Sudan and will not pay income tax on behalf of employees. The employees whose Personal Income Tax are withheld are contracted by the government ministry, and under the law of the country, the government of South Sudan, through its Ministry is responsible to collect personal income tax from its employees at the source and remit the same to the relevant tax authorities. The ministry is a Sub-recipient managed under direct payment modality. In this process, the ministry prepares monthly payroll for its staff, makes all statutory deductions and submit request to UNDP to transfer the net salaries to employee's accounts. The Ministry staff working under the Projects have no tax identification numbers and that means payment of tax deductions may not be accounted to the individual staff income tax.

Priority: Medium

Recommendation:

The Project should ensure that the Personal Income Tax (PIT) deducted and not paid over to the Ministry of Finance, Directorate of Taxation is transferred to the government ministry employing the Health workers as soon as possible. We further recommend that the responsibility of deducting the Personal Income Tax is transferred to the Ministry of Health.

Management comments and action plan:

Management has acknowledged UNDP implication into the tax liability as result of zero cash policy vis-a-vis non-tax paying entity.

Management has written to the responsible government Ministry informing them that UNDP has resolved to transfer National Program staff salaries at gross to the Ministry accounts. The ministry will be responsible to pay the employees, withhold income tax and transfer the same to the tax authorities. The Ministry will also be asked to submit request for the transfer of PIT tax arrears from 2015.

Going forward, UNDP will not pay National Program employees' salaries directly to individual staff accounts.

lan Murphy Partner

Moore Stephens LLP 150 Aldersgate Street London EC1A 4AB

Annexes

Combined Delivery Report Annex 1:

Combined Delivery Report By Project

UN
DIP UN Development Programme
Report ID: unglcdrp

Page 1 of 4 Run Time: 21-05-2016 15:05:54

Selection Criteria :

Business Unit : SSD10
Period : Jan-Dec (2015)
Selected Project Id : 00091065
Selected Fund Code : ALL
Selected Dept. IDs : B0471
Selected Outputs : 00096503

	t Id: 00091065 GFATM - NFM - SSD-H-UNDP t#: 00096503 HIV NFM South Sudan		Period : Impl. Partner : Location :	Jan-Dec (2015) 99999 UNDP UNDP SOUTH SUDAN	
		Govt Exp	UNDP Exp	UN Agencies Exp	Total Exp
Dept:	47101 (South Sudan - Central)				
Fund :	30078 (Global Fund to fight AIDS Tube)				
	72445 - Common Services-Communications	0.00	0.00	0.00	0.00
Total fo	or Fund 30078	0.00	0.00	0.00	0.00
Total fo	or Dept : 47101	0.00	0.00	0.00	0.00
Dept:	47103 (South Sudan - Crisis Prev&Rcvr)				
Fund :	30078 (Global Fund to fight AIDS Tube)				
	74510 - Bank Charges	0.00	0.00	0.00	0.00
Total fo	or Fund 30078	0.00	0.00	0.00	0.00
Total fo	or Dept : 47103	0.00	0.00	0.00	0.00
Dept:	47130 (South Sudan - Global Fund Unit)				
Fund :	30078 (Global Fund to fight AIDS Tube)				
	61105 - Salaries - NP Staff	0.00	1,840.73	0.00	1,840.73
	61305 - Salaries - IP Staff	0.00	46,322.24 19,793.39	0.00	46,322.24
	61310 - Post Adjustment - IP Staff 62105 - Dependency Allowance-NP Staff	0.00	32.76	0.00	19,793.39 32.76
	62110 - Contrib Joint Staff Pension-NP	0.00	750.10	0.00	750.10
	62115 - Contrib to Med.SocIns-NP Staff	0.00	143.58	0.00	143.58
	62120 - Hazard Duty Station Allow-NP	0.00	352.06	0.00	352.06
	62140 - Annual Leave Expense - NO	0.00	0.00	0.00	0.00
	62305 - Dependency Allowances-IP Staff	0.00	2,440.85	0.00	2,440.85
	62310 - Contrib to Jt Staff Pens Fd-IP	0.00	14,264.84	0.00	14,264.84
	62315 - Contrib. to medical, social in	0.00	1,566.78	0.00	1,566.78
	62320 - Mobility, Hardship, Non-remova	0.00	8,103.56	0.00	8,103.56
	62335 - Hazard Duty Station Allow-IP 62340 - Annual Leave Expense - IP	0.00	9,316.60 5,727.39	0.00	9,316.60 5,727.39
	63335 - Home Leave Tryl & Allow-IP Stf	0.00	3.534.24	0.00	3.534.24
	63340 - Proc trips/Rest & Recup-IP Stf	0.00	4,419.60	0.00	4,419.60
	63365 - Special Oper Living Allow-IP	0.00	19,661.90	0.00	19,661.90
	63530 - Contribution to EOS Benefits	0.00	2,617.39	0.00	2,617.39
	63535 - Contribution to Security	0.00	27,408.82	0.00	27,408.82
	63540 - Contribution to Training	0.00	793.37	0.00	793.37
	63545 - Contribution to ICT	0.00	1,046.94	0.00	1,046.94
	63550 - Contributions to MAIP	0.00	279.18	0.00	279.18

Combined Delivery Report By Project

UN Development Programme
Report ID: unglcdrp

Page 2 of 4 Run Time: 21-05-2016 15:05:54

Project Id: 00091065 GFATM - NFM - SSD-H-UNDP Output #: 00096503 HIV NFM South Sudan		Period : Impl. Partner : Location :	Jan-Dec (2015) 99999 UNDP UNDP SOUTH SUDAN	
	Govt Exp	UNDP Exp	UN Agencies Exp	Total Ex
63555 - Contribution to UN JFA	0.00	2,093.92	0.00	2,093.92 209.38
63560 - Contributions to Appendix D	0.00	209.38	0.00	5.583.76
65115 - Contributions to ASHI Reserve	0.00	5,583.76	0.00	517.4
65135 - Payroll Mgt Cost Recovery ATLA	0.00	517.41	0.00	120,926.00
71405 - Service Contracts-Individuals	0.00	120,926.06	0.00	319.10
71410 - MAIP Premium SC	0.00	319.10	0.00	5,185.7
71415 - Contribution to Security SC	0.00	5,185.72	0.00	3,138.4
71605 - Travel Tickets-International	0.00	3,138.40	0.00	18,000.0
71610 - Travel Tickets-Local	0.00	18,000.00	0.00	6,279.0
71615 - Daily Subsistence Allow-Intl	0.00	6,279.00	0.00	
71620 - Daily Subsistence Allow-Local	0.00	8,147.50	0.00	8,147.5 53.295.1
71810 - Contractual Svcs-indiv ImpPtnr	0.00	53,295.17	0.00	967.7
72210 - Machinery and Equipment	0.00	967.74	0.00	13,613.3
72330 - Medical Products	0.00	13,613.30	0.00	25.014.5
72350 - Medical Kits	0.00	25,014.52	0.00	1,159.0
72425 - Mobile Telephone Charges	0.00	1,159.03	0.00	4,267.0
72440 - Connectivity Charges	0.00	4,267.00	0.00	14,233.0
72445 - Common Services-Communications	0.00	14,233.00		8.821.1
72505 - Stationery & other Office Supp	0.00	8,821.15	0.00	6,669.6
72510 - Publications	0.00	6,669.67	0.00	3,129.0
72515 - Print Media	0.00	3,129.03	0.00	46.1
73115 - Moving Expenses	0.00	46.12		677.4
73125 - Common Services-Premises	0.00	677.42	0.00	3,635.7
73405 - Rental & Maint-Other Office Eq	0.00	3,635.70		5,449.5
73410 - Maint, Oper of Transport Equip	0.00	5,449.53	0.00	810.3
74505 - Insurance	0.00	810.31	0.00	401.1
74510 - Bank Charges	0.00	401.19	0.00	1,528.7
74525 - Sundry	0.00	1,528.70	0.00	4.688.7
74705 - Port Operation	0.00	4,688.72	0.00	34,330.3
75105 - Facilities & Admin - Implement	0.00	34,330.37	0.00	1,210.0
75705 - Learning costs	0.00	1,210.00	0.00	1,210.0
Total for Fund 30078	0.00	524,764.24	0.00	524,764.24
Total for Dept: 47130	0.00	524,764.24	0.00	524,764.24
I for Output: 00096503	0.00	524,764.24	0.00	524,764.24
Project Total :	0.00	524,764.24	0.00	524,764.24

UNITED NATIONS ANNIE PROGRAMME SUDAN SOUTH

Signed

30 August 2016

lan Murphy (Partner) Moore Stephens

Combined Delivery Report By Project

DP UN Development Programme Report ID: unglcdrp

Page 3 of 4 Run Time: 21-05-2016 15:05:56

Selection Criteria:

Project Id : ALL Period : Jan-Dec (2015) Output # : ALL Impl. Partner : Location :				
	Govt Exp	UNDP Exp	UN Agencies Exp	Total Exp
47101 - South Sudan - Central 47103 - South Sudan - Crisis Prev&Rcvr	0.00	0.00	0.00	0.00
47130 - South Sudan - Global Fund Unit	0.00	524,764.24	0.00	524,764.24

Combined Delivery Report By Project

UN
DIP UN Development Programme
Report ID: unglcdrp

 UN Development Programme
 Page 4 of virt ID: unglcdrp
 4 und Time: 21-05-2016 15:05:57

Funds Utilization

Selection Criteria :

Business Unit: SSD10
Period: Jan-Dec (2015)
Selected Project Id: 00091065
Selected Fund Code: ALL
Selected Dept. IDs: B0471
Selected Outputs: 00096503

Project/Award: 00091065	GFATM - NFM - SSD-H-UNDP	Period : As at Dec 31, 2015
192		

Output #	00096503	Impl. Partner :99999 UNDP	UNDP AMOUNT
Outstan	iding NEX adva	ices	0.00
Undepre	eciated Fixed A	ssets	0.00
Inventory			0.00
Prepayr	ments		0.00
Commit	ments		601 088 83

Annex 2: Statement of Assets and Equipment

UNDP project 'Investing Towards Impact of HIV and AIDS in South Sudan' had no assets or equipment and accordingly a Statement of Fixed Assets was not produced.

Annex 3: Statement of Cash Position

UNDP project 'Investing Towards Impact of HIV and AIDS in South Sudan' did not have a dedicated bank account for DIM project activities subject to audit and accordingly a Statement of Cash Position was not produced.

Annex 4: Audit finding priority ratings

The following categories of priorities are used:

High (Critical)

Prompt action is required to ensure that UNDP is not exposed to high risks. Failure to take action could result in major negative consequences for UNDP.

Medium (Important)

Action is required to ensure that UNDP is not exposed to risks that are considered moderate. Failure to take action could contribute to negative consequences for UNDP.

Low

Action is desirable and should result in enhanced control or better value for money. Low priority recommendations, if any, are dealt with by the audit team directly with the Office management, either during the exit meeting or through a separate memo subsequent to the fieldwork. Therefore, low priority recommendations are <u>not included in this report</u>.